

## **REMARKS**

### **I. Claim Objections**

Claim 1 was objected to because the acronym NPA should have been defined when first used in the claim. In response to this objection, Applicants have amended Claim 1 (and the other independent claims) to recite “numbering plan area (NPA)” the first time NPA is used. In view of this amendment, Applicants respectfully submit that the claim objection has been overcome.

### **II. 35 U.S.C. § 103(a) Rejections**

Independent Claims 1, 5, 14, 21, and 29 and their dependent claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over the proposed combination of U.S. Patent No. 6,289,095 to Buttitta et al. and U.S. Patent No. 6,359,975 to Cai. Applicants respectfully request reconsideration and withdrawal of these rejections because the Office Action presents insufficient motivation to make the proposed combination. Further, even when Buttitta et al. and Cai are combined, the proposed combination fails to yield each and every element recited in the claims.

In the Office Action, the Examiner admitted that Buttitta et al. and Cai are directed to different aspects of a telecommunication system. Specifically, Buttitta et al. is directed to NPA split management, and Cai is directed to a method for eliminating billing errors. There is another significant difference between Buttitta et al. and Cai — the number of call records that are processed by each of the systems. In Buttitta et al., two call records exist — one for the old NPA and one for the new NPA. In contrast, a single call record is used in Cai, and redundant billing is eliminated by altering data in the single call record (i.e., replacing the real calling line identifier with a pseudo calling line identifier).

Given that Buttitta et al. and Cai are directed to different aspects of a telecommunication

system (NPA split management vs. eliminating billing errors) and deal with a different number of call records, Applicants respectfully submit that one skilled in the art would not have been motivated to turn to Cai to find improvements in processing two call records in an NPA split management environment since Cai is neither directed to the processing of two call records nor to an NPA split management environment.

In the Office Action, it was asserted that one skilled in the art would have been motivated to combine Buttitta et al. and Cai due to the “notoriously old and well known” idea of acting to avoid confusion or conflict only when necessary to avoid extraneous processing. However, what the Office Action fails to address is that additional processing needs to be added to Buttitta et al. in order to achieve this result. For example, to achieve the result stated in the Office Action of updating an old NPA or using a second call record when necessary, processing would need to be added to make that determination. The Office Action does not address why one skilled in the art would have been motivated to incur this additional processing given that the stated motivation was to reduce processing. Accordingly, Applicants respectfully submit that the Office Action does not set forth the required motivation. Further, the asserted motivation of avoiding extraneous processing would not be sufficient motivation if one skilled in the art concluded that always updating the new NPA or using the new CPR provides a desired level of comfort because it ensures that mistakes will not be made in determining whether an old or new call record should be used. Altering this approach would, in that case, be contrary to the basic operating principle of the reference.

Even if one skilled in the art would have been motivated to combine Buttitta et al. and Cai, the proposed combination would still not render the claims unpatentable because Buttitta et al. and Cai fail to teach each and every element of the claims. For example, with respect to

Claim 1, it was admitted that Buttitta et al. fails to teach using the second call processing record instead of the first call processing record if the first call processing record identifies a service that is NPA sensitive, and the Office Action relied upon Cai to cure this deficiency. However, Cai only discloses a single call processing record — not first and second processing records as recited in the claim. In the Office Action, it was asserted that the original and pseudo calling line identifiers correspond to the first and second call records. Applicants respectfully disagree because Cai makes crystal clear that a calling line identifier is merely data in a call record and is not itself a call record. See col. 4, line 50 (“stores the pseudo CLI in the call record”). Accordingly, because Cai only teaches a single call processing record, it necessarily cannot teach the admittedly-missing element of using the second call processing record instead of the first call processing record if the first call processing record identifies a service that is NPA sensitive. Elements from other independent claims are also missing.

For the reasons set forth above, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections of the claims.

### **III. Request for Initialed 1449 Form**

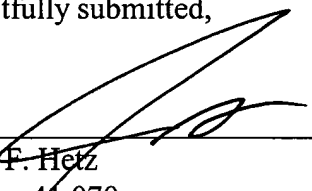
Applicants note that the Examiner did not initial citation A8 on the 1449 Form. Since no reason for this was given in the Office Action, Applicants assume that this was just an oversight. Applicants respectfully request that the Examiner initial this citation and return the initialed 1449 Form to Applicants with the next communication. For the Examiner’s convenience, Applicants have attached a copy of the partially-initialed 1449 Form at Tab A.

#### **IV. Conclusion**

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Reconsideration is respectfully requested. If there are any questions concerning this Amendment, the Examiner is invited to contact the undersigned attorney at the number given below.

Dated: September 27, 2005

Respectfully submitted,

  
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FORM PTO-1449	SERIAL NO. 10/054,764	CASE NO. 8285/481
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 18, 2002	GROUP ART UNIT -2643-2642
(use several sheets if necessary)	APPLICANT(S): KENNETH ROBERT STROUD ET AL.	

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
HA	A1	5,528,680	06/18/96	KARPICKE		
	A2	5,933,489	08/03/99	SENSABAUGH ET AL.		
	A3	5,978,462	11/02/99	FUHRMANN ET AL.		
	A4	6,091,810	07/18/00	SHAFFER ET AL.		
	A5	6,169,793	01/02/01	GODWIN ET AL.		
	A6	6,289,095	09/11/01	BUTTITTA ET AL.		
	A7	6,330,327	12/11/01	LEE ET AL.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A8	Order to Split the 501 NPA, Arkansas Public Service Commission, 8 pages, July 10, 2001.

EXAMINER	DATE CONSIDERED 6/17/05
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.